



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-5171



March 7, 2004

LETTER OF DEFICIENCY #WSEB 04-035
Certified Mail 7000 0600 0023 9932 6511

Paul Shea
Perception Property, Inc
96 Sherwood Drive
Manchester, NH 03103

Subject: Windham – Public Water System: Gym Ken (EPA #2545050)

Dear Mr. Shea:

The records of the Department of Environmental Services (DES) show that Gym Ken water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system serving 15 or more services, or 25 or more people for 60 or more days per year. As such, the water system owner is required to submit samples to the State laboratory or a State-certified laboratory for coliform bacteria analysis in compliance with NH Administrative Rule Env-Ws 325.

DES records show that Standard Maximum Contaminant Level (MCL) violations for total coliform bacteria, as defined in NH Admin. Rule Env-Ws 315.01 have occurred and that letters of violation were issued for the following months:

December 2002 and March 2004

DES believes the MCL violations can be corrected and future violations prevented by taking the following actions:

- 1 **By March 31, 2004**, retain the services of a qualified water system consultant to address the system's water quality problems relative to the recent bacteriological occurrences; and
2. **By April 14, 2004**, submit to DES for review a copy of the consultant's report which shall include recommendations to correct the bacteria contamination; and
- 3 **By April 28, 2004**, submit to DES for review and approval an implementation schedule which identifies specific dates by which steps to correct the bacteria contamination will be accomplished.

In the event compliance is not achieved within this period, DES may take further enforcement action, including issuing an order requiring the deficiencies be corrected, initiating an administrative fine proceeding and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

The copy of the consultant's written report **and the implementation schedule** as requested above should be addressed as follows:

Anne S. Bailey
Department of Environmental Services
Water Supply Engineering Bureau
6 Hazen Drive, P.O. Box 95
Concord, NH 03302-0095

Please be reminded to carry out the public notice requirements and provide proof of public notice to DES for the March 2004 MCL violation.

Please contact Anne Bailey by phone at (603) 271-0672, or by e-mail at abailey@des.state.nh.us if you have any questions regarding this letter.

Sincerely,



Rene Pelletier, P.G., Manager
Land Resource Programs

Enclosures: MCL public notice forms
Master Sampling Schedule

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cc: Gretchen Rule, DES Legal Unit
Town of Windham Health Officer
William Houser, Granite State Analytical (w/enclosures)
EPA Region I